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A Progress Report on Aboriginal Initiatives from the Government of Canada 2009-2010

Canada

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Preamble

"Our Government recognizes the contributions of Canada's Aboriginal people. Too often their stories have been ones of sorrow. Our Government will continue to build on its historic apology for the treatment of children in residential schools."
Speech from the Throne, March 3, 2010

Why a Progress Report?

A Progress Report on Aboriginal Initiatives from the Government of Canada offers Canadians a comprehensive overview of the actions taken by the Government of Canada with respect to Aboriginal issues. The purpose of this report is to raise overall awareness of Aboriginal issues, while at the same time, highlighting some of the accomplishments that have taken place between April 1, 2009 and March 31, 2010. In producing this document, the Government of Canada is also signalling its continued commitment to this important area of public policy.

How was the report developed?

This report was developed by the Department of Indian Affairs and Northern Development Canada in close collaboration with all other federal departments and agencies. Information is based on the most recent data available. The report is not intended to provide a comprehensive detailing of all of the actions taken by the Government of Canada on Aboriginal issues. Instead, the report focuses on new and key activities between April 1, 2009 and March 31, 2010.

Introduction

The Government of Canada provides over $10 billion annually in programs directed to Aboriginal people through 34 federal departments and agencies. This funding supports numerous activities, ranging from education, health services, housing, labour market and governance. Moreover, it is important to recognize that Aboriginal people, like all other Canadians, benefit from the complete array of programs and services offered by the Government of Canada.

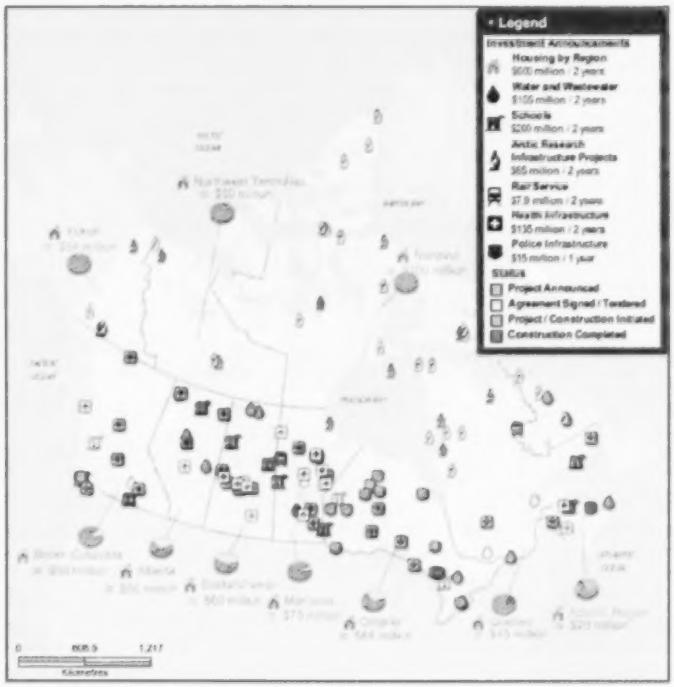
This Progress Report highlights the actions taken by the Government of Canada between April 1, 2009 and March 31, 2010 to advance Aboriginal issues. More specifically, it provides an overview of new actions taken by the Government. These actions are organized along the Government's five-point plan on Aboriginal Affairs (first announced by the Prime Minister in a speech in 2007):

- **Education**
- **Reconciliation, Governance, and Self-Government**
- **Economic Development**
- **Empowering Citizens and Protecting the Vulnerable**
- **Resolution of Land Issues**

In 2009, Canada was faced with a deteriorating global economic situation. The Government's response, Canada's Economic Action Plan (CEAP) announced in January 2009, was designed to: stimulate the Canadian economy; protect Canadians during the global recession; and position Canada for future prosperity through investments in long-term growth. The Government's response supported Canadians, helped to strengthen communities and helped Canada to be one of the first countries to emerge from the global recession.

Actions through CEAP are also intended to promote greater participation by Aboriginal men and women in the Canadian economy and to address specific challenges and opportunities faced by Aboriginal people and communities. To that end, $1.4 billion over two years (approximately $603 million in 2009-2010 and approximately $788 million in 2010-2011) has been dedicated to meet the specific needs of Aboriginal people and communities in the areas of education, skills development, health care, housing, policing, access to clean water and employment. Aboriginal people and communities have also benefited from many other initiatives through CEAP that are not necessarily designated specifically for them.

All together, these actions have had an important impact through increased employment and procurement opportunities, improved infrastructure, and a higher level of health and family services that will assist in achieving better outcomes for Aboriginal children, families and communities.
As demonstrated in the following map, CEAP investments have benefitted Aboriginal communities from coast to coast to coast.



In an attempt to provide Canadians with an update on actions being taken by Canada to stimulate the economy, the Government of Canada has been specifically tracking the progress of CEAP's impacts for Aboriginal people and communities through regular reports. These comprehensive reports are available to all Canadians at http://www.ainc-inac.gc.ca/ai/arp/bg09/index-eng.asp. This Report includes summaries of these efforts.

While CEAP funding will end in 2011, the Government remains committed to looking at new ways of addressing long-standing challenges facing Aboriginal people. The Speech from the Throne on March 3, 2010 and the Budget released on March 4, 2010 provide evidence of this continued commitment. Although this Report focuses on the actions and measures that were put in place by the Government of Canada between April 1, 2009 to March 31, 2010, it does provide a look ahead to the coming fiscal year, highlighting commitments from Budget 2010 that apply to Aboriginal communities.

Ultimately, this Report also underlines how the Government's actions are about more than simply funding and investment. The Government has sought to establish partnerships with key stakeholders and interested partners over the past year to finalize a number of partnership and tripartite agreements with various provinces and territories and First Nation, Inuit and Métis organizations. These actions are highlighted throughout the Report.

Action Taken Under the Five-Point Plan:

The federal government has undertaken a significant number of initiatives and investments in terms of Aboriginal issues according to its five priorities.

Education

> *"Our Government will also work hand-in-hand with Aboriginal communities and provinces and territories to reform and strengthen education, and to support student success and provide greater hope and opportunity"*
> **Speech from the Throne**, March 3, 2010

The federal government remains committed to improving education outcomes for Aboriginal learners. **Collaborative efforts** are required to achieve better results and the Government is **continuing to partner** with Aboriginal communities and provincial and territorial governments to achieve lasting reform.

> In Round One of these programs, 72% of First Nation Communities across Canada were represented under the First Nation Student Success Program (with 18 projects) and 73% of Communities received funding under the Education Partnerships Program (with 19 projects).
>
> In Round Two, 16 more proposals received funding under the First Nation Student Success Program and 12 additional proposals were funded under the Education Partnerships Program.

Since their launch in December 2008, the First Nation Student Success Program and the Education Partnerships Program have had significant participation. Initially, it was anticipated that 20 percent of eligible communities would seek funding. Instead, to date, the Government has invested $30 million in 65 proposals which represent 84 percent of First Nation schools. The Government **is making significant investments** to ensure that children have better places to learn. As of January 2010, 93 school projects are receiving funding through the Government's Capital Facilities and Maintenance Program (CFMP) (approximately $91 million). This includes the construction of three new schools (approximately $34 million),

eight major school renovation and/or addition projects (approximately $33 million) and 82 other minor school projects. These minor projects include the renovation of nine schools ($2 million), the construction and/or renovation of teachers' residences in 13 communities (approximately $1.6 million), eight feasibility studies and design work and 11 mechanical and heating system upgrades ($2.3 million). Additionally, as a part of the Building Canada Plan, $102 million is being invested from the Gas Tax Fund towards the construction of an additional six new schools and two major school renovations over the next three years (2009-2010 to 2011-2012).

CEAP has also provided $186 million for schools. As of January 31, 2010, this funding, over two years, is supporting the on-reserve construction of 12 new schools and major renovation projects under Canada's Economic Action Plan. All projects have been announced and nine are currently under construction. All of the schools will be in the construction phase by August 2010.

The federal government has also, over the last year:

- Signed, on April 2, 2009, with Mary Simon, President of the Inuit Tapiriit Kanatami, an Inuit Education Accord bringing together federal, provincial, territorial and Inuit representatives to develop an Inuit Education Strategy. The Strategy will make recommendations by September 2010 on pathways for increasing education outcomes and opportunities for Inuit.

- Signed, on October 22, 2009, a Letter of Understanding (LOU) with Manitoba First Nations and the Government of Manitoba to develop action plans to improve education outcomes for First Nation students in the following areas:
    - o early learning programs focusing on school readiness for children who will attend First Nation schools;
    - o Virtual Schools to increase course availability and options for First Nation students;
    - o reciprocal professional development for teachers, including greater opportunities for teachers of First Nation students to share knowledge and expertise;
    - o protocols to support students transitioning between First Nation and provincial schools; and,
    - o other reciprocal education agreements which may include provisions for tuition amounts, programs and services, roles and responsibilities, and accountability.

- Signed, on February 24, 2010, a Memorandum of Understanding (MOU) with the Government of Alberta and the Assembly of Treaty Chiefs in Alberta that will provide a framework for collaboration on strengthening education outcomes for Alberta's First Nations. Highlights of the MOU include establishment of an

Indigenous Knowledge and Wisdom Centre, commitments to developing a long-term strategic plan for First Nations education in Alberta, and the creation of an Alberta First Nations Education Circle (comprised of senior officials from all parties to oversee the implementation of the MOU).

"This MOU is a significant step in fostering the supports, relationships, and resources needed to ensure that every student in this province has the equity of opportunity to succeed." **Minister Hancock, Alberta Provincial Minister of Education**, February 24, 2010

Budget 2010: A Look Ahead

$30 million over two years to support an implementation-ready tripartite K-12 education agreement that will ensure that education outcomes for First Nations students are comparable whether the classroom is located on or off reserve.

Reconciliation, Governance and Self-Government

The Government remains committed to a new relationship based on reconciliation and healing for past injustices, and to strengthening Aboriginal governance and self-government. The 2008 Statement of Apology over federally-funded residential schools remains a touchstone towards building a new relationship.

2009 saw the movement towards healing, reconciliation and resolution of the sad legacy of Indian Residential Schools continue as initial challenges with the work of the Truth and Reconciliation Commission were resolved:

- On June 10, 2009, Minister Strahl announced (after the successful work of a selection committee facilitated by Frank Iacobucci) the appointment of a new Chairperson and two Commissioners for the re-named "Truth and Reconciliation Commission of Canada" (TRC).

- On July 15, 2009, Minister Strahl announced the establishment of an Indian Residential School Survivor Committee as a result of a **collaborative process** involving the stakeholders to the agreement, which include the Government of Canada, churches, the Assembly of First Nations, Inuit Tapiriit Kanatami and the Métis National Council.

- TRC began holding community events and workshops across the country, and has scheduled its first National Event, to be held June 15-19, 2010 in Winnipeg.

- The federal government continued to deliver Common Experience Payments, as well as Independent Assessment Process awards, to Survivors. As of March 2010, a total of **$1.55 billion in Common Experience Payments** had been made to former students and, as of March 2010, **$539 million in Independent Assessment Process awards**.

  75, 722 Common Experience Payments have been made to former students of residential schools.

Real evidence of a renewed relationship between Aboriginal and non-Aboriginal Canadians was evident during the 2010 Olympic Winter Games. Through the support of the Government of Canada, the Vancouver Organizing Committee (VANOC) for the 2010 Winter Games and the Four Host First Nations Society were able to achieve an unprecedented level of Aboriginal participation in the Vancouver Olympics. For instance: the federally-funded Four Host First Nations' Aboriginal Pavilion was visited by over 240,000 people during the Olympic Games; over 300 Aboriginal youth from across Canada participated in the Games' Opening Ceremony; and the Olympic Torch Relay passed through 118 Aboriginal communities during its tour of Canada. In addition, over twenty-five traditional and contemporary Inuit singers and dancers, supported by various federal departments, performed at the 2009 Cultural Olympiad.

> "The partnership between the Four Host First Nations and VANOC embodied the spirit of our original relations and the hope of all of our Nations for a better future. This was a partnership characterized by full respect, a commitment to find solutions, to fully support one another and for both parties to bring to bear all of the energy and effort required for success. This becomes a positive example for all of Canada and the world as to how Indigenous Nations and the broader society can and must work together." **AFN National Chief, Shawn Atleo**, March 19, 2010.

Further examples of momentum building towards a new relationship include:

- the March 2010 Speech from the Throne which promised to address the United Nations Declaration on the Rights of Indigenous Peoples by taking "steps to endorse this aspirational document in a manner fully consistent with Canada's Constitution and laws."; and

- continued work with Métis organizations to develop objectively verifiable identification systems in keeping with the *Powley* decision. The federal government held ongoing engagement with provincial governments and Métis organizations with respect to accommodating Métis harvesters.

Regarding governance and self-government, the federal government continues to support land claims and implement self-government agreements that enable First Nations and Inuit communities to move towards self-determination. Such agreements allow communities to better manage their relationships with other levels of government, assume greater control over, and responsibility for the well-being of their communities, and seize economic opportunities and maximize economic development initiatives.

The Government has begun taking action to facilitate progress under the British Columbia treaty process and enhance Canada's flexibility at negotiation tables. Elements of the action plan include:

- allowing the negotiation of language in treaties that recognizes that a First Nation has existing Aboriginal rights and acknowledges that these rights have not always been respected.

- introducing a method of achieving certainty in treaties that addresses First Nations' concerns with the extinguishment of rights; and

- strengthening and streamlining Treaty-Related Measures (TRMs), which are tools that the parties involved in the British Columbia treaty process – Canada, First Nations and the province – use to remove obstacles at treaty negotiation tables in B.C. so that treaties can be concluded more quickly. They include a wide range of measures including treaty-related land and resource studies to answer questions required to move negotiations forward; preserve negotiating options by protecting Crown land or by purchasing private land for treaty settlement purposes; measures to support First Nations governance; and accelerated access to anticipated treaty benefits.

Other actions and initiatives have included:

- On June 12, 2009, Royal Assent was given to Bill C-28, legislation to amend the *Cree-Naskapi (of Quebec) Act*. This legislation increases the bylaw-making authority of the Cree of Eeyou Istchee.

- On June 18, 2009, Bill C-41, the *Maanulth First Nations Final Agreement Act* received Royal Assent. This was the second final agreement to be reached under the BC Treaty Process – the first was the Tsawwassen First Nation Final Agreement.

- On February 5, 2010, the Chief Negotiators of Yale First Nation, British Columbia and Canada initialled the Yale Final Agreement, marking a significant step forward in bringing certainty and greater economic opportunity to the community. The Final Agreement contains provisions for self-government, financial and land transfers. In addition, Yale First Nation will receive a capital transfer of $10.7 million and economic development funding of $2.2 million.

- During the last year, five new First Nations obtained community ratification of their lands codes and subsequently became operational under the *First Nations Land Management Act*.

Aboriginal people, who make up nearly half the population in the three territories, play a particularly important role in Canada's North. On July 26, 2009, Ministers Strahl and Cannon formally released "Canada's Northern Strategy." The Strategy articulates a clear vision for the North as a healthy, prosperous region and is based on an integrated four-pillared approach that includes:

- exercising Canada's Arctic sovereignty;
- protecting the North's environmental heritage;
- promoting social and economic development; and
- improving and devolving northern governance.

Since 2007, the federal government has been working to advance its Northern Strategy objectives and has invested in a number of initiatives that will benefit Aboriginal people, including a new economic development agency for the North, the Canadian Northern Economic Development Agency (CanNor), the renovation and construction of new housing units in the North and the establishment of historic Labour Market Agreements with the three territorial governments in August 2009. Updates on federal actions can be found at www.northernstrategy.gc.ca.

Budget 2010: A Look Ahead

Slated almost $200 million in additional funds over two years to support continued implementation of the Indian Residential Schools Settlement Agreement and help former students, their families, and Aboriginal communities embark on the path of healing and reconciliation by ensuring timely paymentsand health supports.

"The Canadian Northern Economic Development Agency will consolidate Northern economic development programs, bolster economic growth in Aboriginal communities, select and coordinate critical infrastructure projects, and help the region's communities adjust to changing economic and environmental conditions".

Prime Minister Stephen Harper, August 18, 2009, Iqaluit, Nunavut

Economic Development

By focusing on opportunities, responding to new and changing conditions, leveraging partnerships and focusing on results, the Government of Canada is committed to working together with Aboriginal Canadians and willing partners to ensure that Aboriginal Canadians enjoy the same opportunities for employment, income and wealth creation as other Canadians.

With a young, fast-growing and increasingly better-educated population, a significant land and resource base, and a growing business sector, **Aboriginal Canadians are well-positioned to help build a vibrant Canadian economy**.

The opportunities for Aboriginal economic development have never been greater. Private investment is increasing in every region of the country and there is a demonstrable interest on the part of the non-Aboriginal private sector to work with Aboriginal businesses and communities.

There are emerging trends and significant evidence that suggest that Aboriginal Canadians are poised to take an unprecedented step toward becoming full participants in the Canadian economy, as entrepreneurs, employers and employees.

In June 2009, Minister Strahl announced the new Federal Framework for Aboriginal Economic Development. This new approach brings to bear a whole-of-government effort to address the unique circumstances of Aboriginal Canadians that limit their participation in the Canadian economy. The Framework entails a partnership and opportunities-based approach that reflects the significant, real and growing opportunities for Aboriginal people to become full participants in the economy. The Framework will guide federal actions across many departments and agencies by pursuing a clear set of strategic priorities:

- strengthening Aboriginal entrepreneurship;
- developing Aboriginal human capital;
- enhancing the value of Aboriginal assets;
- forging new and effective partnerships; and
- focusing the role of the federal government.

The Framework for Aboriginal Economic Development was launched with a new investment of $200-million over four years to increase First Nations access to lands, resources and capital as well as to improve federal procurement opportunities for Aboriginal businesses. The Framework also includes the establishment of a fund to develop strategies that will focus the resources, efforts and expertise of federal departments and agencies to support enhanced participation of Aboriginal people in key sectors of the economy: forestry, fisheries, mining, energy, and agriculture.

And, fundamental to the Framework is the recognition of the importance of investing in the development of human capital. The Government believes that increasing **Aboriginal participation in the Canadian labour market**, and the economy more generally, is an important and effective way to address the socio-economic conditions facing many Aboriginal people, especially Aboriginal young people.

In 2009-2010, through the Department of Human Resources and Skills Development Canada, the Government provided significant supports to address the labour market needs of Aboriginal people:

- **Aboriginal Human Resources Development Strategy** (AHRDS) helps First Nations, Inuit, and Métis men and women prepare for, find, and maintain employment. While year-end reporting is in the process of being finalized, interim results for 2009-10 show that AHRDS served 45,120 clients, 24,980 of which were Aboriginal youth. AHRDS client services resulted in 12,440 people returning to employment and another 6,301 returning to school. Under AHRDS, approximately 8,500 childcare spaces were funded in 2009-10 as a training and employment-related support measure.

  The national AHRDS infrastructure of 79 agreement holders and over 400 points of service has enabled Aboriginal people to access culturally-relevant employment programming and services. Under AHRDS, Aboriginal organizations develop and implement employment programs and services best-suited to meet the unique needs of their communities, such as skills development, targeted wage subsidies, self-employment, job creation partnerships, and employment assistance services, and critical labour market supports such as child care. In Budget 2008, the Government of Canada committed to developing a demand-driven and results-based successor to the AHRDS. As a result, the Aboriginal Skills and Employment Training Strategy (ASETS) was approved in 2009 and launched on April 1, 2010.

  Since 1999, AHRDS has helped over 480,000 Aboriginal clients create employment action plans and/or return to work or school.

CEAP investments in labour market initiatives underscored the importance of supporting Aboriginal people to participate more fully in Canada's labour market, given that Aboriginal people may be particularly vulnerable to the impacts of the economic downturn. More specifically, the Government provided through the Department of Human Resources and Skills Development Canada:

- $100 million over two years for the Aboriginal Skills and Employment Partnership (ASEP), $20 million to flow in 2009-2010. As of March 2010, 20 projects have been approved and the funds are now fully committed;

- $75 million over two years for the Aboriginal Skills and Training Strategic Investment Fund (ASTSIF). To date, 74 regional projects and 12 national projects have been approved; and

- $25 million allocated for 2009-2010 to ensure a consistent level of funding for the current Aboriginal Human Resource Development Strategy funding until the launch of the new strategy (the Aboriginal Skills and Employment Training Strategy) in April 2010.

These efforts have supported Aboriginal men and women in acquiring the necessary skills to adapt to the changing labour market environment and secure long-term jobs.

Other CEAP investments contributing to economic development include:

- $50 million over five years for the creation of the Canadian Northern Economic Development Agency (CanNor) and $90 million over five years for the renewal of the Strategic Investments in Northern Economic Development (SINED) program to stimulate long-term economic development in the territories; and

- $85 million to upgrade 20 key research facilities across Canada's Arctic and funding to create a world-class Canadian High Arctic Research Station ($2 million for feasibility study in 2009; $18 million over five years in Budget 2010 for pre-construction design phase).

> *"Industry and ingenuity have been the hallmarks of Canada's economy since the beginning. Aboriginal peoples, voyageurs and pioneers established the backbone of our modern trading nation."*
> **Speech from the Throne**, March 3, 2010

The economic situation in 2009-2010 required focus and attention. In addition to CEAP efforts, the Government took many other concrete steps to support Aboriginal economic development:

- On May 14, 2009, Royal Assent was given to Bill C-5, legislation to amend the *Indian Oil and Gas Act*. The legislation addresses the regulatory gap between on-reserve and off-reserve oil and gas activity, thereby encouraging further investments and economic development in First Nations communities.

- On December 10, 2009, Minister Strahl introduced Bill C-63, the First Nations Certainty of Land Title Act (to amend the *First Nations Commercial and Industrial Development Act* and enable First Nations across Canada to develop commercial real estate on reserve land). The First Nations Certainty of Land Title Act will permit the

registration of on-reserve commercial real estate development in a system that replicates the provincial land titles or registry system. Such action will help make the value of on-reserve properties, including housing, stores, offices and other buildings, comparable to equivalent properties on off-reserve land. While the legislation died on the order paper, the Government is planning to reintroduce the Bill this year.

- The 2010 Olympics not only served as a platform to promote reconciliation but provided significant economic benefits for Aboriginal businesses and communities. For example, the Vancouver Organizing Committee's Aboriginal procurement initiatives, with support from Indian and Northern Affairs Canada, resulted in purchases of over $57 million from over 150 Aboriginal-owned businesses across Canada.

- Throughout 2009-2010, the Government of Canada, via the Urban Aboriginal Strategy, continued to make federal programs more accessible and seamless while at the same time improving alignment with provincial policies and programs on urban Aboriginal issues. These efforts are intended to empower urban Aboriginal communities to harness local expertise to address community priorities.

The federal government also **organized the first Métis Economic Development Symposium**, an historic meeting held in December 2009, in which Minister Strahl, Métis National Council President Clément Chartier and Aboriginal Affairs Ministers from the five western-most provinces participated in order to discuss economic development opportunities for Métis in western Canada, with a commitment to meeting again in a year to report back on results.

> "Minister Strahl has demonstrated strong interest in working with the Métis Nation on economic development and is showing the type of leadership that both the Métis leadership and the Provinces have long sought from the federal government." **Métis National Council President Clément Chartier**, August 2009.

In terms of work in the North, April 2009 saw the inaugural meeting of the **National Economic Development Committee for Inuit Nunangat (NEDCIN)**. NEDCIN is a joint federal-Inuit committee established to collaboratively manage economic development policy and program development and implementation.

Budget 2010: A Look Ahead

The Government re-affirmed its commitment to Canada's Economic Action Plan. The Government's focus now is on delivering year two of the Economic Action Plan. Already, commitments are in place for more than 90 per cent of the available 2010-2011 funding.

Empowering Citizens & Protecting the Vulnerable

The federal government is committed to assisting those in greatest need, particularly through initiatives such as child and family services, improved housing, access to safe drinking water and health programs. Through CEAP, it has made concrete investments in these areas and committed to working with partners to provide safer communities and conditions that help Aboriginal people lead healthy and fulfilling lives.

> Between March 2006 and February 2010, the number of high-risk water systems in First Nations communities was reduced from 193 to 49. The number of high risk wastewater systems was reduced from 67 to 60 over the same period.

- $305 million over two years ($135 million in 2009-2010) was dedicated through CEAP to strengthen current health programs (Non-Insured Health Benefits and Primary Care services), improve health outcomes for First Nations and Inuit individuals, and move towards greater integration with provincial and territorial systems.

- $20 million over two years was also provided to ensure further progress on the federal government's new province-specific, prevention-focused tripartite approach for First Nations child and family services on reserves that will also ensure more effective information gathering and enhanced accountability.
    - In August 2009, the federal government announced that Quebec and Prince Edward Island would be the next jurisdictions to implement the Enhanced Prevention Focused Approach with CEAP funding.

With respect to infrastructure investments, CEAP targeted the following areas:

- $400 million over two years to support the construction of new on-reserve housing, renovations of existing social housing and for complementary housing activities. Funds are flowing through the Canada Mortgage and Housing Corporation and Indian and Northern Affairs Canada.
    - Overall, more than 400 First Nations communities across Canada are receiving housing investments through Canada's Economic Action Plan and most regions have now seen the completion of a portion of their housing projects.
    - Under CMHC initiatives, work is underway on the construction and renovation of on-reserve social housing in more than 320 First Nation communities, addressing more than 4,717 units.
    - Under INAC initiatives, over 2,100 housing units have been selected for construction, renovation or conversion to private ownership and nearly 600 lots designated for servicing for 2009-2010.

- In terms of critical community services infrastructure there is also:
  - $15 million allocated for Policing Infrastructure for 2009-2010 (initiatives being cost-shared between the Government of Canada (52 percent) and provinces (48 percent)). Twelve projects have been announced to date and one project, the Wikwemikong First Nation facility, has been completed;
  - $135 million over two years to support construction and renovation of health services infrastructure for First Nations communities, including health facilities and nurses' residences; and
  - Rail projects for Keewatin Railway in Manitoba and Tshiuetin Rail Transportation in western Labrador and Quebec ($7.9 million) to be completed by March 31, 2011.

- $179 million for water and wastewater projects.
  - As of January 31, 2010, funding of $179 million over two years is supporting construction of 18 water and wastewater projects under Canada's Economic Action Plan. Investments in the 18 water and wastewater facilities on reserve will directly benefit approximately 44,000 First Nations residents. All projects have been announced and 11 are currently under construction. All of the water and wastewater projects will be in the construction phase by April 2010.

- $200 million over two years for the renovation and construction of new social housing units across Northern Canada.
  - The Yukon and Northwest Territories were allocated $50 million each, while the remaining $100 million was allocated to Nunavut where the need for new social housing is greatest. This funding is distinct from the $4 million funding that the Yukon is receiving for First Nations housing.

- $17 million allocated for accelerated construction of a small craft harbour in Pangnirtung, Nunavut to provide improved infrastructure to the existing commercial fishery, provide a basis to further develop the inshore fisheries, and support other community marine interests.

In addition to CEAP measures, Canada has targeted improvements in Aboriginal communities through a number of other initiatives, including basic **infrastructure**:

- As of January 2010, the federal government invested approximately $342 million in 2009-2010 to support ongoing projects such as roads and bridges, electrification and infrastructure in First Nations communities, and about $277 million over the same period (through Indian and Northern Affairs Canada and the Canadian Mortgage and Housing Corporation) for on-reserve housing needs. As of February 2010, the Government also planned to spend approximately $302 million to support water and wastewater activities in 2009-10.

- In 2008, the federal government established a $300 million First Nations Market Housing Fund to help **increase the housing supply on reserve** and give First Nation families and individuals a greater range of housing options. As of February 2010, five First Nations have been approved by the Fund for Credit Enhancement and five financial institutions have been approved as lenders under the Fund.

- **Decisive action is being taken on the new measures identified under the First Nations Water and Wastewater Action Plan** (FNWWAP). This action includes: 1) proceeding with a national assessment of water and wastewater systems that provide services to First Nations communities (one-third of First Nations were assessed by December 2009 and the remaining two-thirds will be done by November 2010); and 2) developing or improving water and wastewater protocols. As of February 2010, federal investment for 2009-2010 for water and wastewater, including that from FNWWAP, was approximately $302 million.

  Overall, perceptions of First Nations residents regarding the safety of water supply have improved: while 62% of First Nations residents viewed their tap water supply as safe in 2007, 70% did so in 2009. Ekos, July 2009

  - Training and capacity building for First Nations water and wastewater operators are done through a combination of programs such as:
    - the Circuit Rider Training Program (CRTP), a mentoring program which helps First Nations operators learn to properly operate and maintain water and wastewater systems, ensuring access to safe water and compliance with applicable standards;
    - the Safe Water Operations Program (SWOP), which provides direct third-party oversight of drinking water systems for First Nations lacking the capacity to effectively manage these systems independently; and
    - the provision of funds to attend other courses.

    In total, the Government of Canada invests approximately $27 million annually in CRTP, SWOP and course funding to build capacity in First Nations with respect to the provision of safe drinking water.
  - Since January 2008, 14 additional Circuit Rider Trainers have been hired under the CRTP. There are currently 54 Circuit Rider Trainers providing operation and maintenance support to First Nations water operators. As of February 2010, more than 50 percent of all operators had received their first level of certification or greater for water treatment systems, and more than 30 percent of all operators had received their first level of certification or greater for wastewater treatment systems.

- Health Canada has increased overall capacity to sample and test drinking water quality "at tap" in First Nations communities in order

to protect public health. All First Nations community sites now have access to a trained Community Based Water Monitor (CBWM) or an Environmental Health Officer to sample and test drinking water quality at tap. While more drinking water advisories have been issued in First Nations communities since 2003, overall **these advisories are resolved in about one tenth the time it took before 2003** (median duration of advisories in effect was 307 days before 2003 and 35 days since 2003). After 2003, the percentage of advisories in effect for 7-12 months dropped from 14 percent to 7 percent and those remaining in effect for more than a year dropped from 43 percent to 24 percent.

As of 2009, 92% of communities had access to portable test kits for on site bacteriological analysis of drinking water, up from 56% in 2002. 42% of piped systems met the recommended weekly monitoring for bacteriological parameters, compared to 29% in 2002. Compliance for chemical testing is higher, with 71% of piped systems meeting annual testing as recommended by the Guidelines for Canadian Drinking Water Quality.

The Government has continued to make progress on other **health** issues:

- Over 300 projects in all provinces and territories are being implemented through the Aboriginal Health Transition Fund (AHTF) (2005-2006 to 2010-2011). First Nations, Inuit and Métis organizations **are working in partnership with federal, provincial and territorial governments to improve access to existing health services** through the improved integration and adaptation of health services .

Results of these projects include: increased numbers of partnerships in Aboriginal health; awareness of available health services and Aboriginal health issues; participation of Aboriginal peoples in the design, delivery and evaluation of health services; integration and adaptation of some health services; and improved access to some health services.

- Examples of specific projects include:
  - o policy integration and coordination initiative involving the Nova Scotia Department of Health, First Nations and Inuit Health Branch (Atlantic Region), the Confederacy of Mainland Mi'kmaq and the Union of Nova Scotia Indians to address home care needs for 13 First Nations communities in the province. The focus of the AHTF was to integrate the Nova Scotia Department of Health's Continuing Care Branch home care program with the home care services funded by the federal government for First Nations on reserve; and
  - o a project with the File Hills Qu'Appelle Tribal Council in Saskatchewan, the province and 11 First Nations partners to consolidate, adapt and de fragment services available to First Nations women in southern Saskatchewan. Expectant First Nations mothers were inadequately accessing provincial prenatal health services even though 80 percent of the First Nations prenatal clients could be considered at high risk

with almost double the Canadian rate of high infant birth weights. Since this AHTF funded project's inception in 2007, access to prenatal health care services has been increased by an average of 10 new clients per month for prenatal services and 50 new clients per month for women's health services from an off and on reserve population of 10,000. Provincially-funded mid wifery, nurse practitioner and ultrasound services are now available closer to home for expectant First Nations mothers. These collaborative efforts to expand access to prenatal services will improve the health outcomes of First Nations mothers and babies.

- In September 2009, Minister Strahl, Minister of Health, the Honourable Leona Aglukkaq, and Assembly of First Nations National Chief, Shawn Atleo met to sign a Communications Protocol (*Working Together on H1N1 Preparedness*) to affirm their commitment to work together on pandemic planning efforts. The purpose of the communications protocol is to ensure a coordinated approach between the parties for issues related to planning and communications regarding a pandemic in First Nations communities. The objectives of the protocol include:
  - o comprehensive and well coordinated communication that takes into account each parties' accountability structure;
  - o enhanced understanding of the unique challenges facing First Nations communities;
  - o the joint development of culturally appropriate H1N1 public health information; and
  - o consistent messaging and information, as determined by the three parties, to First Nations communities on pandemic planning and response efforts, recognizing that each party may have to act alone at certain times.

The Government also continues to support other essential **social** and **community-related** initiatives:

- In May 2008, the Minister of Health and the Minister of Indian Affairs and Northern Development sent a joint letter to provincial and territorial governments inviting them to work together to implement a child first principle to resolve jurisdictional disputes involving the care of First Nations children. Since then, the federal government has reached an agreement with the province of Manitoba on developing a process to implement Jordan's Principle[1]. In September 2009, the federal government, the province of Saskatchewan and the Federation of Saskatchewan Indian Nations developed a **Tripartite Interim Implementation Plan** on Jordan's Principle.

1 Jordan's Principle honours the memory of Jordan River Anderson, a young boy from Manitoba's Norway House Cree Nation, who was born with a rare neuromuscular disorder and required care from multiple service providers. He became the centre of a jurisdictional funding dispute which prevented him from leaving the hospital to receive care in a family home. On December 12, 2007, a Private Member's Motion (M-296) stating that "in the opinion of the House, the government should immediately adopt a child-first principle, based on Jordan's Principle, to resolve jurisdictional disputes involving the care of First Nations children," received unanimous support in Parliament. The intent of this child-first principle is to ensure that the necessary care for a First Nations child is not delayed or disrupted by a jurisdictional dispute.

INAC and Health Canada have also engaged with a number of other provinces on this issue and some have advised that they already have existing structures and mechanisms to identify and address jurisdictional disputes and provide services to children with disabilities.

In the meantime, the federal government is **collaborating with interested parties, including the provinces and First Nations,** to review and address cases as they arise to ensure continuity of care and to ensure First Nation children with multiple disabilities receive the services and care they need.

- Bill C-3, Gender Equity in Indian Registration Act was introduced on March 11, 2010 and responds to the 2009 decision by the Court of Appeal for British Columbia in the matter of *McIvor v.Canada (Registrar of Indian and Northern Affairs).* The proposed legislation would ensure that eligible grandchildren of women who lost their registered Indian status as a result of marrying non-Indian men will become entitled to registered Indian status in accordance with the *Indian Act.*

- The federal government continued to press ahead with Bill S-4, the Family Homes on Reserves and Matrimonial Interests or Rights Act. The proposed legislation consists of a substantive federal matrimonial real property regime combined with a mechanism for it to be replaced by First Nations-developed matrimonial real property laws. Legislation was introduced in the Senate on March 31, 2010.

Budget 2010: A Look Ahead

Invests $10 million over two years to address the disturbingly high number of missing and murdered Aboriginal women.

Helps create a modernized Food Mail Program funded at $45 million over 2 years, bringing the annual budget to $60 million.

Resolution of Land Issues

Governments and private industry are increasingly recognizing **the tremendous economic potential** of Aboriginal communities, particularly in the area of resource development. To realize this potential, the federal government is working closely with provinces and territories to develop effective approaches and processes to fulfill the legal duty to consult and accommodate with a focus on opportunities for inter-jurisdictional cooperation and collaboration. In addition, the Government of Canada continues to work to settle outstanding grievances, such as specific claims.

A **specific claim** is a claim made by a First Nation against the federal government relating to the administration of land and other First Nation assets and to the fulfillment of Indian treaties. Since 1973, the federal government has pursued the settlement of these grievances through negotiations.

In 2006, the Standing Senate Committee on Aboriginal Peoples published *"Negotiation or Confrontation: It's Canada's Choice"* which highlighted several deficiencies of the specific claims process: settlements took too long to achieve; conflict of interest was inherent in the process as Canada both evaluated and negotiated claims; and there was no practical access to mediation.

Canada responded to the Senate Committee Report in 2007, with *"Justice At Last: Specific Claims Action Plan"* which set in motion a fundamental reform of the specific claims process. The initiative is based on four pillars: impartiality and fairness; greater transparency for financial compensation; faster processing; and better access to mediation. All four pillars of *Justice at Last* have been, or are being, implemented.

Impartiality and Fairness: The *Specific Claims Tribunal Act*, which was developed jointly with the Assembly of First Nations, came into force on October 16, 2008, and is a key element of the Action Plan. The Specific Claims Tribunal, which is comprised of superior court judges, can make binding decisions in respect to the validity of claims and award monetary compensation up to $150 million. A First Nation can refer a claim to the Tribunal when:

- the Minister of Indian Affairs and Northern Development does not accept a claim for negotiation;
- the Minister has not notified a First Nation of a decision as to whether a claim will be accepted for negotiation within three years of the claim having been filed;
- the claim has not been resolved by a final settlement agreement after three years of negotiations; or

- at any time during the first three years of negotiation if both parties agree to refer the claim to the Tribunal.

In November 2009, Mr. Justice Harry Slade of the Supreme Court of British Columbia, Mr. Justice Patrick Smith of the Superior Court of Justice of Ontario, and Madame Justice Johanne Mainville of the Superior Court of Quebec were appointed full-time members of the Specific Claims Tribunal. In December 2009, Justice Slade was appointed as the Chair of the Tribunal. Members are currently working to establish rules and procedural guidelines.

The Registry of the Specific Claims Tribunal is the administrative arm of the Tribunal and has been operational since the coming into force of the Act.

Greater Transparency: Dedicated funding in the amount of $250M per year for 10 years has been approved and is available for negotiated settlements and Tribunal awards. In August 2009, a public report on specific claims was released. Canadians who want to track progress on the status of individual specific claims are able to do so by searching the new report which is available at http://www.ainc-inac.gc.ca/al/ldc/spc/scl/index-eng.asp.

> *"I want to take this opportunity to highlight a new report released today that tracks overall progress made to resolve specific claims in the past fiscal year (2008-2009). The report shows that a record 118 specific claims were addressed during this time while another 31 specific claims were accepted for negotiation."*
> **Statement from Minister Strahl**, August 27, 2009

Faster Processing: Measures, such as "bundling" similar claims for review, the use of standardized negotiation protocols, and legislated time frames have been implemented. This renewed approach to the assessment and negotiation of specific claims is already showing results:

- On October 16, 2008, there were 541 claims in the assessment phase of the specific claims process. On March 31, 2010, this number had been reduced to 429.

- Between April 1, 2009 and March 31, 2010, Canada addressed a total of 141 specific claims across the country, including:
  - **12 claims settled** through negotiation;
  - **66 claims** that were **not accepted for negotiation** on the basis that the claims did not give rise to any outstanding lawful obligations;
  - **63 claims** that were addressed by means of **file closure** (either the claim did not fall within the scope of the Policy, the First Nation decided to withdraw the claim, or it was referred to an administrative remedy such as the Additions to Reserve Process); and
  - **43 claims** were **accepted for negotiation**.

Since 2006, the number of specific claims addressed has increased every year. In 2008-2009, 118 claims were addressed. In 2009-2010, the number rose to 141 claims.

Mediation Services: Issue-specific independent mediation services that can be quickly engaged during negotiations will promote the achievement of negotiated settlements. A process for the selection and engagement of independent mediators is being developed.

Treaty Land Entitlement claims are intended to settle the land debt owed to those First Nations who did not receive all the land they were entitled to under historical treaties signed by the Crown and First Nations. Settlement agreements are negotiated among First Nations, the Government of Canada and provincial/territorial governments. According to the terms of the agreement, a specified amount of Crown lands is identified and/or a cash settlement is provided so that a First Nation may purchase federal, provincial/territorial, or private land to settle the land debt. This land can be added to the First Nations' reserve under the Additions to Reserve process.

- In 2009-2010, the Government of Canada **added 51,816.838 hectares (or 128,042.205 acres) of land to reserves** and **advanced 52 files** through the **Treaty Land Entitlement/Additions to Reserve** process.

> "Land claims agreements and new governance structures have been concluded across the North. These agreements and structures set out many core rights of Aboriginal peoples, and provide an array of tools for us to participate more effectively in policy debates and decision making. We are necessary players and necessary partners." **Mary Simon, President, Inuit Tapiriit Kanatami,** addressing Ipsos-Reid Conference on Foreign Policy /Arctic Sovereignty, November 30, 2009

Other examples of momentum on land claims issues include:

- Two agreements signed in August 2009 that will provide a framework to help Canada, Ontario and the Algonquins of Ontario move forward with negotiations to resolve the Algonquin land claim in eastern Ontario:
  - a renewed Negotiations Framework Agreement establishes processes to guide the three parties through negotiation of an Agreement-in-Principle and, ultimately, a settlement in terms of a modern treaty; and
  - the parties also reached an agreement on consultation to set out a clear and efficient means for Canada and Ontario to consult the Algonquins of Ontario and the 10 Algonquin communities they represent on proposed activities or projects in the region while the negotiations are ongoing.

- An Agreement ratified by the Cree of Eeyou Istchee (Quebec) in March 2010 which concludes a 35-year-old claim to the islands of James Bay and southern Hudson Bay. Canada and the Cree will now proceed to the signing of the Agreement and introduction of its implementing legislation later in 2010.

- The announcement by Minister Strahl on March 26, 2010 that Canada is moving towards the creation of a new forum for talks between the

Innu residing in both Quebec and Newfoundland and Labrador regarding their overlapping claims. Should all sides agree to meet, the Government would be willing to provide funding for both Innu parties to enter into exploratory talks and, if necessary, appoint a special representative to act as a facilitator.

- It is important to note that through the Treaty Process in British Columbia, much of the progress on Land Claims also supports progress on Self-Government; these achievements are captured in this Report's section on "Reconciliation, Governance and Self-Government."

Budget 2010: A Look Ahead

Almost $3 million over two years to support consultations with Aboriginal Canadians related to projects that are assessed by a review panel under the *Canadian Environmental Assessment Act*.

Conclusion

The Government of Canada continues to make great strides in developing and implementing its practical and results-driven vision for Aboriginal policy. There is still more work to be done and the Government remains focused: it is aware of what must be done, and it is committed to moving forward in partnership with others.

Since 2007, the Government established a clear framework for action on Aboriginal issues with five priorities:

- Education
- Reconciliation, governance and self-government
- Economic development
- Empowerment and protecting the vulnerable
- Resolution of land issues

The Government is committed to working with willing partners to achieve real results in these areas. Many of the initiatives highlighted throughout this Report were successful due in part to the **whole-of-government approach** in addressing issues that affect Aboriginal people. Continued progress and success will be dependent on the willingness of all interested partners to work together to achieve better outcomes for Aboriginal children, families and communities. No federal department – nor any one government or organization – on its own holds exclusive policy responsibility for resolving issues that affect Aboriginal people.

The Government of Canada is also committed to reporting back to Canadians on its actions. For example, the Government will continue to make available to all Canadians a regular report on progress and impacts of the Aboriginal-specific programming through Canada's Economic Action Plan. These reports are available at: http://www.ainc-inac.gc.ca/ai/arp/bg09/index-eng.asp

The Government believes strongly that the actions it has taken since 2007 provide the platform to help build a better Canada for Aboriginal people and communities right now and for the future. In moving forward, the Government of Canada is committed to sustaining momentum by partnering with others to achieve meaningful results for these communities and the country as a whole.